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EXHIBIT 1

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Attorneys for United States of America

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

UNITED STATES OF AMERICA,)
)
Plaintiff,)
)
v.)
)
ANGEL TOPETE,)
)
Defendant.)

No. 10-CR-00824-DLJ

STIPULATION AND []
ORDER CONTINUING HEARING DATE

The defendant ANGEL TOPETE, represented by Peter A. Leeming, Esq., and the government, represented by Thomas A. Colthurst, Assistant United States Attorney, respectfully request that the sentencing hearing currently scheduled for September 26, 2013, be continued to December 5, 2013.

ANGEL TOPETE pleaded guilty to a two-count Superseding Information in the above-captioned matter charging him with (1) use of communication facility in causing or facilitating the commission of a felony under the Controlled Substances Act, in violation of 21 U.S.C. § 843(b), and (2) structuring currency transactions for the purpose of evading reporting

STIPULATION AND [] ORDER
Case No. 10-CR-00824-DLJ

1 requirements, in violation of 31 U.S.C. § 5324(a)(3). He has been released and is currently on
2 bond.

3 The parties are requesting that his sentencing hearing be reset to December 5, 2013,
4 because they need more time to frame their sentencing recommendations.

5 No other defendants are affected by this request.

6 SO STIPULATED:

7
8 Dated: September 17, 2013

/S/

Thomas A. Colthurst
Assistant United States Attorney

9
10
11 Dated: September 17, 2013

/S/

Peter A. Leeming, Esq.
Attorney for Defendant

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14 Accordingly, for good cause shown, the Court HEREBY ORDERS that the sentencing
15 hearing for *United States v. Angel Topete*, scheduled for September 26, 2013, is continued to
16 December 5, 2013, at 10:00 a.m.

17
18
19 DATED: JED JH



THE HONORABLE D. LOWELL JENSEN
United States District Judge